

EXHIBIT A

D I C K S T E I N S H A P I R O M O R I N & O S H I N S K Y L L P

2101 L Street NW • Washington, DC 20037-1526

Tel (202) 785-9700 • Fax (202) 887-0689

Writer's Direct Dial: (202) 828-2822

E-Mail Address: DeLanceyM@dsmo.com

May 26, 2006

Via FedEx

Via E-Mail

Ms. Elizabeth A. Fegan
HAGENS BERMAN SOBOL SHAPIRO LLP
60 West Randolph Street
Suite 200
Chicago, IL 60601

Re: In re Pharmaceutical Industry Average Wholesale Price Litigation, MDL 1456

Dear Beth:

Pursuant to Plaintiffs' Omnibus Requests for Production of Documents, Defendant Baxter anticipates producing over 2,000,000 additional pages in the next week in TIFF format. In the interests of efficiency, we will also make additional electronic documents available for inspection through a web based on-line repository on June 1, 2006. In this repository, Plaintiffs can review electronic documents in their native format¹ and mark documents for Bates stamping and delivery in TIFF format. As opposed to a TIFF production, the repository will allow Plaintiffs to review electronic documents in native format, run full text searches, and search by custodian. The repository will contain files of employees that we have interviewed and determined would have responsive documents. The documents are being produced as they are kept in the usual course of business.

Within the repository, next to each electronic document, there will be an annotation window where Plaintiffs can request that a document be converted to TIFF format. Lextranet, Baxter's on-line vendor, will periodically sweep the system for documents designated for TIFF conversion and deliver the documents in TIFF format with Bates stamps to Plaintiffs. After a batch of documents are converted to TIFF format, Plaintiffs will have the ability to search the repository for those documents by the date they were converted to TIFF and by Bates number.

Baxter will pay the substantial loading fees associated with moving electronic documents from Baxter's internal systems to the on-line repository and creating the ability to search across documents both by custodian and by text. Plaintiffs will be obligated to pay Lextranet the cost of accessing the system, \$125 per month per user, and the cost associated with

¹ Documents that require redactions will be uploaded to the on-line repository in TIFF form since native documents cannot be redacted. Plaintiffs will be able to search these TIFF documents by text field, custodian field, and production installment.

1177 Avenue of the Americas • New York, NY 10036-2714

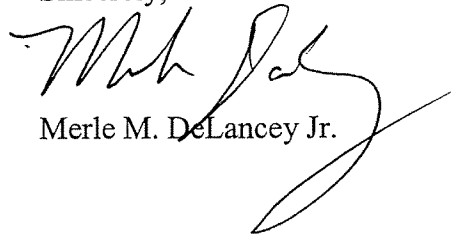
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conversion from native format to Bates stamped TIFF images \$0.09 per page. All requested TIFFs will be text searchable.

By making documents available for inspection, Baxter does not waive any jurisdictional, substantive, or procedural defect or any of its objections to Plaintiffs' discovery requests. The documents are also produced subject to, and without waiver of, the attorney-client, work product, and/or any other applicable privileges.

Sincerely,

A handwritten signature in black ink, appearing to read "Merle M. DeLancey Jr.", with a long, sweeping horizontal stroke extending to the right.

Merle M. DeLancey Jr.

MMD/sp